

Remarks

Applicant has amended claims 1, 4-5, 9, 13 and 17. Entry of the Amendment and favorable consideration thereof is earnestly requested.

Applicant has amended the claims to more particular point out and describe the invention, specifically using the term "pressure-sensitive adhesive layer" rather than "sticky." "Pressure sensitive adhesive" is a term of art noting a special class of adhesives that provide good adhesion to a surface while at the same time allow for ease of peelability or removability from the surface to which they stick, not producing any damage to or leaving a visible layer of adhesive polymer on such a surface. Further, the pressure-sensitive adhesive layer of the present invention may be washed to restore its adhesiveness. Support for this amendment is found in the specification with named vendors of such adhesives noted in the Application at ¶ 19.

Rejection under §102(b)

The Examiner has rejected claims 1-2, 4-10, and 12 under 35 U.S.C. §102(b) as being anticipated by Gates. Specifically, the Examiner cites Gates' flock as disclosing Applicant's "at least semi-transparent sticky layer (col. 4, lines 58-61)", an element of all pending claims. Applicant respectfully disagrees that discloses or suggests the present claims, all of which include the element of "an at least semi-transparent pressure-sensitive adhesive layer."

Gates teaches a display object and at least one display item both of which is at least partially coated with flock, a crushed fibrous material such as rayon. (See Gates Abstract.) In contrast, Applicant's layer is a pressure-sensitive adhesive that will removably receive items. Clearly Applicant's layer is made of a different material not taught or suggested by Gates' fibrous material. Additionally, these layers adhere to

items differently. Gates' flock-coated display object and flock-coated display object are removably secured by cohesive force as the two flock-coated surfaces are coupled and their fibers intermeshed. (See Gates Abstract, col. 5, line 27 and Fig. 3). Applicant's pressure-sensitive adhesive layer will receive accessories, disclosed in the specification as items made of any material which is suitable to adhere to the layer. (See Application ¶21) Accessories require no coating with flock to be received by the pressure-sensitive adhesive layer.


For at least these reasons, Applicants claims are patentable and nonobvious over Gates.

Rejection under §103

The Examiner has rejected as being unpatentable under 35 U.S.C. §103(a), claims 3 and 11 over Gates in view McCarn, claims 17-19 over Gates in view Nachbar, and claims 13-16 over Gates in view of Smith. As previously discussed, Gates does not teach or suggest Applicant's claim element of pressure-sensitive adhesive layer. "To be anticipating, a prior art reference must disclose 'each and every limitation of the claimed invention[,] . . . must be enabling[,] and [must] describe... [the]claimed invention sufficiently to have placed it in possession of a person of ordinary skill in the field of the invention.' *In re Paulsen*, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed Cir. 1994)." *Helifix Ltd. V. Blok-Lok, Ltd.*, 208 F.3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000). Gates fails to disclose every element to anticipate the claims and is no more enlightening as a basis for rejection under §103(a). Neither McCarn, Nachbar, or Smith teach or suggest Applicant's claim element of pressure-sensitive adhesive layer to correct the deficiency in Gates to render the present claim unpatentable. Hence, all of the above rejections are respectfully traversed.

It is respectfully submitted that all of the claims in the application are in order for allowance, and early notice to that effect is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Wesley W. Whitmyer, Jr.", written over a horizontal line.

Wesley W. Whitmyer, Jr., Registration No. 33,558

Helen M. Limoncelli, Registration No. 51,950

Attorneys for Applicant

ST.ONGE STEWARD JOHNSTON & REENS LLC

986 Bedford Street

Stamford, CT 06905-5619

203 324-6155